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FILED
CLERK, U.S. DISTRICT COURT

JAN - 8 2009

CENTRAL DISTRICT OF CALIFORNIA
BY ___

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)
)
          Plaintiff,)
)
      v.   )
)
Rudolph A. Edwards,)
          Defendant.)
)

CR 02-01192 -JFW

ORDER {OF DETENTION} ~~[SETTING CONDITIONS OF RELEASE]~~ AFTER HEARING
(18 U.S.C. § 3148(b):
(Allegations of Violation of
Pretrial Conditions of Release)

A.

On motion of the Government involving an alleged violation of conditions of pretrial release and warrant for arrest issued by [Judge Walter

B.

The court finds there is

(1)

     (A)   ( )   Probable cause to believe that the defendant has committed a Federal, State, or local crime while on release; or

     (B)   (X)   Clear and convincing evidence that the defendant has violated any other condition of release; and

(2)

    (A) (X) Based on the factors set forth in 18 U.S.C. § 3142(g), there is no condition or combination of conditions of release that will assure that the person will not flee or pose a danger to the safety or any other person or the community; or

    (B) ( ) The person is unlikely to abide by any condition or combination of conditions of release.

         and/or, in the event of (1)(A)

(3)   (X) There is probable cause to believe that, while on release, the defendant committed a Federal, State, or local felony, and the presumption that no condition or combination of conditions will assure that the person will not pose a danger to the safety of any other person or the community has not been rebutted.

         <u>or</u>

(4)   ( ) The court finds that there are conditions of release that will assure that the defendant will not flee or pose a danger to the safety of any other person or the community, and that the defendant will abide by such conditions. <u>See</u> separate order setting conditions.

        ( ) It is further ordered that this order is stayed for 72 hours in order to allow the Government to seek review from the [assigned district judge] [criminal duty district judge].

         <u>or</u>

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2 C.

( ) IT IS ORDERED defendant be detained prior to trial.

3 DATED:

4 January 8, 2009

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   U.S. MAGISTRATE/DISTRICT JUDGE

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